

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**GNLV CORP. d/b/a GOLDEN NUGGET
LAS VEGAS,**

Employer

and

Case No. 28-RC-216070

**GENERAL TEAMSTERS, AIRLINE, AEROSPACE
AND ALLIED EMPLOYEES, WAREHOUSEMEN,
DRIVERS, CONSTRUCTION, ROCK AND SAND,
LOCAL 986, INTERNATIONAL BROTHERHOOD
OF TEAMSTERS**

Union

EMPLOYER’S MOTION TO RESCHEDULE HEARING

GNLV Corp. d/b/a Golden Nugget Las Vegas (“Employer”) by and through its counsel of record, Kamer Zucker Abbott, respectfully requests that the National Labor Relations Board’s (“NLRB”) Regional Director grant Employer’s Motion to Reschedule Hearing for the above-captioned matter. This hearing is currently scheduled for April 26, 2018. However, counsel for Employer only became aware of the hearing on April 23, 2018, when counsel for the Union filed a Motion for Administrative Dismissal of the Employer’s Objections. After inquiring with the NLRB and counsel for the Union, counsel for the Employer discovered that Nicole Young from Kamer Zucker Abbott was not emailed the Order scheduling the hearing and Gregory Kamer had not opened email as it was sent by an unfamiliar email address belonging to Luis Gomez, Language Specialist for Region 28. This Motion is based upon the pleadings and papers on file herein, the attached points and authorities, and any argument which may be allowed.

A pre-election hearing in this matter was held on March 15, 2018. The Regional Director issued a Decision and Direction of Election on March 26, 2018. The Employer filed a Request for Review of the DDE and a Motion to Stay the election on March 27, 2018. The Board denied the Employer's request for review and stay request on March 29, 2018. The Regional Director issued a Supplemental Decision and Direction of Election on March 29, 2018. An election was held on April 4, 2018. The Employer timely filed Objections to the Election and an Offer of Proof on April 11, 2018. On April 17, 2018, the Regional Director ordered a hearing on the Employer's objections and consolidated this matter with an unfair labor practice charge (Case No. 28-RC-210006) set for hearing on May 8, 2018. On April 19, 2018, the Regional Director severed the Employer's objections hearing from the unfair labor practice hearing and scheduled the Employer's objections hearing for April 26, 2018. As discussed *supra*, Employer's counsel did not become aware of this hearing date until April 23, 2018 through Union's counsel.

Union's Counsel filed a Motion for Administrative Dismissal of Company's Election Objections on April 23, 2018. The Employer will respond to this Motion by April 30, 2018. The Parties have agreed and filed a joint stipulation and request to vacate the hearing set for April 26, 2018 and in lieu of a hearing file written briefs to be submitted by May 24, 2018. In the case that the joint stipulation and request to vacate the hearing is denied, Employer requests that the hearing set for April 26, 2018 be postponed.

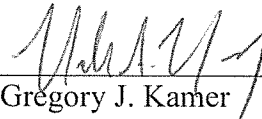
The Employer reached out to the Union's counsel, Daniel Barth, Esq., on April 23, 2018 and the parties have agreed, if the hearing is not vacated pursuant to the stipulation, to move the hearing date to a later date in which the Region is available. The parties offer the below dates as alternatives: May 4, 2018, May 9, 2018, or a date thereafter.

This request to reschedule the hearing is not sought for any improper purpose or other purpose of delay. Based on the foregoing, GNLV Corp. respectfully requests the Region to reschedule the hearing.

DATED this 24th day of April, 2018.

KAMER ZUCKER ABBOTT

By:



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Nicole A. Young
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Las Vegas, Nevada 89102
Tel: (702) 259-8640
Fax: (702) 259-8646
Attorneys for Respondent

CERTIFICATE OF SERVICE

I hereby certify that on April 24th, 2018, I did serve a copy of the **EMPLOYER'S**

MOTION TO RESCHEDULE HEARING upon:

Michael Johnson
National Labor Relations Board, Region 28
300 Las Vegas Boulevard South, Suite 2-901
Las Vegas, Nevada 89101

VIA ELECTRONIC FILING

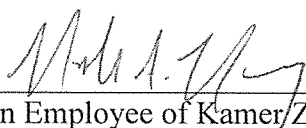
Cornele A. Overstreet, Regional Director
National Labor Relations Board, Region 28
Resident Office
600 South Las Vegas Boulevard, #400
Las Vegas, Nevada 89101-6637

VIA ELECTRONIC FILING

Daniel R. Barth, Esq.
Lewis N. Levy, Esq.
Levy Phillips, a Professional Corporation
20700 Ventura Boulevard, Suite 320
Woodland Hills, California 91364

**VIA CERTIFIED MAIL WITH
RETURN RECEIPT**

By:


An Employee of Kamer/Zucker Abbott